

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION


ROGER FARLEY)	
)	
v.)	No. 1:12-00179
)	JUDGE CAMPBELL
UNITED STATES OF AMERICA)	

ORDER

Pending before the Court is the Government's Motion For An Order Finding Waiver Of Attorney-Client Privilege (Docket No. 3). Through the Motion, the Government requests that the Court enter an order holding that the attorney-client privilege has been waived in Petitioner's criminal case because he has alleged in his Section 2255 Motion that trial counsel provided ineffective assistance.

The Motion is GRANTED. The Court holds that the Petitioner has waived the attorney-client privilege as to the matters raised in his claim of ineffective assistance of counsel. See, e.g., In re Lott, 424 F.3d 446, 453 (6th Cir. 2005)(Explaining that a habeas petitioner implicitly waives the attorney-client privilege by putting his attorney's performance at issue, and waiver extends to those matters relevant to petitioners's ineffective assistance of counsel claims).

It is so ORDERED.



TODD J. CAMPBELL
UNITED STATES DISTRICT JUDGE